

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

PATRICIA WILLIAMS

Plaintiff,

V.

**FEDEX FREIGHT, LARAYE COLE,
MONIQUE HOLLEY, RALPH PIPPEN, FNU
DUWAN, and TIMOTHY ROBERTS,**

Defendants.

Case No. 2:22-cv-02310-JTF-atc

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND DISMISSING INDIVIDUAL
DEFENDANTS**

Before the Court is Defendants’ LaRaye Cole, Monique Holley, FNU Duwan, and Timothy Roberts (“Individual Defendants”) Motion to Dismiss, filed on October 26, 2022. (ECF No. 22.) Plaintiff filed a Response on December 29, 2022. (ECF No. 24.) Defendants filed a Reply on January 5, 2023. (ECF No. 25.) The Magistrate Judge entered a Report and Recommendation (“R & R”) on May 19, 2023 advising the Court to grant the Motion and dismiss the Individual Defendants from this matter. (ECF No. 37.) For the following reasons, the R & R should be **ADOPTED**, and the Individual Defendants should be **DISMISSED** from this matter.

Congress passed 28 U.S.C. § 636(b) “to relieve some of the burden on the federal courts by permitting the assignment of certain district court duties to magistrates.” *United States v. Curtis*,

237 F.3d 598, 602 (6th Cir. 2001). Pursuant to the provision, magistrate judges may hear and determine any pretrial matter pending before the Court, except various dispositive motions. 28 U.S.C. § 636(b)(1)(A). Upon hearing a pending matter, “the magistrate judge must enter a recommended disposition, including, if appropriate, proposed findings of fact.” Fed. R. Civ. P. 72(b)(1); *see also Baker v. Peterson*, 67 F. App’x 308, 310 (6th Cir. 2003). Any party who disagrees with a magistrate’s proposed findings and recommendation may file written objections to the report and recommendation. Fed. R. Civ. P. 72(b)(2). A failure to file specific objections to a Magistrate Judge’s report does not meet the requirement of filing an objection at all. *Howard v. Secretary of Health and Human Services*, 932 F.2d 505, 509 (6th Cir 1991); *McCready v. Kamminga*, 113 Fed. App’x. 47, 49 (6th Cir. 2004). However, “[w]hen no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. The district court is not required to review, and indeed “should adopt[,] the findings and rulings of the Magistrate Judge to which no specific objection is filed.” *Brown v. Bd. of Educ. of Shelby Cty. Sch.*, 47 F. Supp. 3d 665, 674 (W.D. Tenn. 2014) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)).

In the absence of any party objections and having satisfied itself that there is no clear error on the face of the record, the Court hereby **ADOPTS** the Magistrate Judge’s Report and Recommendation and **DISMISSES** the Individual Defendants from this matter. The Court **CERTIFIES** that Plaintiff may not appeal the determination herein *in forma pauperis*.

IT IS SO ORDERED this 8th day of June, 2023.

s/John T. Fowlkes, Jr.
JOHN T. FOWLKES, JR.
UNITED STATES DISTRICT JUDGE